

**MINUTES OF THE COURT OF APPEAL  
STATE OF CALIFORNIA  
SECOND APPELLATE DISTRICT**

**February 7, 2002**

## DIVISION ONE

[illegible]

The judgment is affirmed.

Vogel (Miriam A.), J.

We concur: Spencer, P.J.  
Ortega, J.

B149394 People (Not for Publication)  
v.  
Hall

The judgment is affirmed.

Vogel (Miriam A.), J.

We concur: Ortega, Acting P.J.  
Mallano, J.

B148746 People (Not for Publication)  
v.  
Lockett

The judgment is affirmed.

Vogel (Miriam A.), J.

We concur: Ortega, Acting P.J.  
Mallano, J.

## February 7, 2002-Continued

## DIVISION ONE (Continued)

[illegible]

The judgment is affirmed. Peattie is entitled to his costs on appeal.

Vogel (Miriam A.), J.

We concur: Ortega, Acting P.J.  
Mallano, J.

B141609      Bakshi      (Not for Publication)  
v.  
Hershenfeld et al

The judgment is affirmed. Herschenfeld is awarded his costs on appeal.

Vogel (Miriam A.), J.

We concur: Ortega, Acting P.J.  
Mallano, J.

B148401      Kalaba      (Certified for Partial Publication)  
v.  
Gray

The judgment is affirmed. Dr. Gray is entitled his costs on appeal.

Vogel (Miriam A.), J.

We concur: Spencer, P.J.  
Ortega, J.

## DIVISION TWO

B146311 People (Not for Publication)  
v.  
Soto

The judgment is affirmed.

Nott, J.

We concur:   Boren, P.J.  
                      Doi Todd, J.

B149735 People (Not for Publication)  
v.  
Randall

The Court:

The judgment is affirmed.

Boren, P.J., Nott, J., Ashmann-Gerst, J.

B151386      Los Angeles County, D.C.F.S.      (Not for Publication)  
v.  
Flor M.

The orders under review are affirmed.

Ashmann-Gerst, J.

We concur:   Boren, P.J.  
                  Doi Todd, J.

## February 7, 2002-Continued

## DIVISION TWO (Continued)

B148649      People                                  (Not for Publication)  
v.  
Kapre B.

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The finding sustaining count 4 of the violation report is reversed, and, in all other respects, the order under review is affirmed.

Ashmann-Gerst, J.

We concur:   Boren, P.J.  
                      Nott, J.

[illegible]

The judgment is modified to include a \$5,000 parole revocation fine. In all other respects, the judgment is affirmed.

Nott, J.

We concur: Boren, P.J.  
Doi Todd, J.

B146299 People (Not for Publication)  
v.  
Beltran

The judgment is affirmed.

Nott, J.

We concur:   Boren, P.J.  
                  Doi Todd, J.

## February 7, 2002-Continued

## DIVISION TWO (Continued)

B149426 People (Not for Publication)  
v.  
Tafoya

The judgment is affirmed.

Nott, Acting P.J.

We concur:   Doi Todd, J.  
                   Ashmann-Gerst, J.

B150426 People (Not for Publication)  
v.  
Rodriguez

The judgment is affirmed.

Ashmann-Gerst, J.

We concur:   Boren, P.J.  
                      Nott, J.

B147383 People (Not for Publication)  
v.  
Pierce

The judgment is affirmed.

Ashmann-Gerst, J.

We concur:   Boren, P.J.  
                      Doi Todd, J.

DIVISION TWO (Continued)

B149106      Murrey International                      (Not for Publication)  
Bowling and Billiards, Inc.  
v.  
Loctite Corporation, et al.

The order appealed from is affirmed.

Nott, J.

We concur:    Boren, P.J.  
Doi Todd, J.

B147314      Vers    (Not for Publication)  
v.  
Salazar

The judgment is affirmed. Respondent(s) to recover costs.

Nott, Acting P.J.

We concur:    Doi Todd, J.  
Ashmann-Gerst, J.

B143118      Stopol    (Not for Publication)  
v.  
PSS World Medical, Inc.

The judgment of the trial court is affirmed. PSS is entitled to costs on appeal.

Ashmann-Gerst, J.

We concur:    Nott, Acting P.J.  
Doi Todd, J.

## February 7, 2002-Continued

## DIVISION TWO (Continued)

B147668      Suggs      (Not for Publication)  
v.  
Veridian-Trident

The judgment of the trial court is affirmed. Trident is entitled to costs on appeal.

Ashmann-Gerst, J.

We concur:   Boren, P.J.  
                      Nott, J.

B150211      Nyko Inc.      (Not for Publication)  
v.  
First Union Securities, Inc.

The judgment appealed from is affirmed. First Union and Lee will recover their costs of suit from plaintiffs.

Nott, J.

We concur:   Boren, P.J.  
                   Ashmann-Gerst, J.

DIVISION THREE

B145535 People (Not for Publication)  
v.  
Vizcarra

The judgment is affirmed.

Croskey, J.

We concur: Klein, P.J.  
Aldrich, J.

DIVISION THREE (Continued)

B131086 Roland Land Investment Company, Inc. et al.

v.

Velur Investments II, Inc., et al. Los Angeles County

Filed order modifying opinion. Petitions for rehearing are denied. (Change in judgment)

B146346 Alternative Health Care, Inc. (Not for Publication)

v.

Riviera-West, Inc.

The judgment is affirmed. Respondent(s) to recover costs.

Croskey, Acting P.J.

We concur: Kitching, J.  
Aldrich, J.

B141389 Naresh Arora (Not for Publication)

v.

Board of Civil Service Commissioners; City of Los Angeles

The judgment is affirmed. Respondent(s) to recover costs.

Croskey, J.

We concur: Klein, P.J.  
Kitching, J.

B148137 Anthony Cardinale (Not for Publication)

v.

Barbara Hearn, et al.

The judgment is affirmed. Respondent(s) to recover costs.

Croskey, J.

We concur: Klein, P.J.  
Kitching, J.

DIVISION THREE (Continued)

B144791      Los Angeles County, D.C.F.S.      (Not for Publication)  
B150243      v.  
                 Mehri M. and Hooman P.

The orders are affirmed.

Croskey, Acting P.J.

We concur:    Kitching, J.  
                 Aldrich, J.

B151211      Fran W. and Arthur W.      (Certified for Publication)  
                 v.  
                 Terry W.  
                 Guardianship of Melissa W.

The order to show cause is discharged. Father's motion to dismiss the appeal is granted and the appeal is dismissed. Father's request for sanctions is denied. Father shall recover from grandparents and their counsel his costs in this appeal. The matter is referred to the State Bar for investigation. In that the dismissal is "based in whole or in part on the misconduct, incompetent representation, or willful misrepresentation of an attorney" (Bus. & Prof. Code, sec. 6086.7, subd.(b)), the clerk of this court is directed forthwith to send a copy of this dismissal order to the State Bar.

Aldrich, J.

We concur:    Klein, P.J.  
                 Kitching, J.

DIVISION FIVE

B150031 People (Not for Publication)  
v.  
Rocio P.

The true finding on count two is reversed, count two is dismissed, and the disposition is modified to reflect a total maximum term of confinement of four years. As modified, the judgment is otherwise affirmed.

Grignon, J.

We concur:   Turner, P.J.  
                      Mosk, J.

B150253 People (Not for Publication)  
v.  
Eduardo H.

The true finding on count three, disturbing the peace on school grounds (section 415.5, subdivision (a)), reversed, count three is dismissed, and the disposition is modified to reflect a total maximum term of confinement of one year four months. As modified, the judgment is otherwise affirmed.

Grignon, Acting P.J.

We concur:    Armstrong, J.  
                         Mosk, J.

B149066 People (Certified for Publication)  
v.  
William Prince Gaut

The judgment is affirmed.

Turner, P.J.

We concur:   Armstrong, J.  
                      Mosk, J.

## DIVISION FIVE (Continued)

B146852      People      (Certified for Partial Publication)  
v.  
Raphael Deandre Cooksey

The judgment is modified to award defendant 365 days credit on the subordinate terms which includes 122 days of conduct credits. The credits are only to apply to the 18-month subordinate term. The clerk of the superior court is to prepare an amended abstract of judgment which separately reflects the amount of presentence credits on the principal and subordinate terms. The judgment is affirmed in all other respects.

Turner, P.J.

We concur: Grignon, J.  
Armstrong, J.

B152335      Los Angeles County, D.C.F.S.      (Not for Publication)  
v.  
Michael C.

The order is affirmed.

Grignon, J.

We concur:   Turner, P.J.  
                      Armstrong, J.

B148559 Stacy Sterbcow  
v.  
Atlantic Mutual Insurance Co.

Filed order denying petition for rehearing.

## February 7, 2002-Continued

## DIVISION SIX

B151947 People (Not for Publication)  
v.  
Ramirez

The judgment is affirmed.

Coffee, J.

We concur:    Gilbert, P.J.  
                         Perren, J.

B154706      Trink  
v.  
Brady

Filed order denying petition for rehearing.

B147035 People (Not for Publication)  
v.  
Hueston

The judgment is affirmed.

Gilbert, P.J.

We concur: Yegan, J.  
Coffee, J.

B153714 People (Not for Publication)  
v.  
Steed

The judgment is affirmed.

Yegan, J.

We concur: Gilbert, P.J.  
Perren, J.

## February 7, 2002-Continued

## DIVISION SIX (Continued)

B147649      Watts      (Not for Publication)  
v.  
County of Ventura

The judgment is affirmed. Costs to respondents.

Gilbert, P.J.

We concur: Yegan, J.  
Coffee, J.

B146697      Stewart                      (Not for Publication)  
v.  
Edmunds

The judgment is affirmed. Costs on appeal are awarded to wife.

Coffee, J.

We concur: Gilbert, P.J.  
Perren, J.

B149858      Melero      (Not for Publication)  
v.  
Dean  
Keith Jaiko et al.

B149862      Woodburn  
v.  
Dean  
David Maron et al.

The post-judgment order in case Nos. B149858 and B149862 is affirmed and the respondents in both appeals are awarded costs on appeal.

Coffee, J.

We concur: Gilbert, P.J.  
Yegan, J.

DIVISION SIX (Continued)

B147377 People (Not for Publication)  
v.  
Roberts

The judgment and sentence are affirmed.

Gilbert, P.J.

We concur: Coffee, J.  
Perren, J.

## DIVISION SEVEN

Court convened at 9:00 A.M.

Present: Lillie, P.J., Johnson, J., Woods, J., Perluss, J. and Eva McClintock, Deputy Clerk.

Each of the following:

B147881 People v. DeSantiago  
B150343 People v. Rodriguez  
B150923 People v. Begaye  
B145121 People v. Enriquez  
B149001 People v. Thomas J.  
B148976 People v. Medina  
B144926 People v. Kay  
B151892 People v. Quinteros  
B151638 People v. Welliver  
B148552 People v. Steward  
B146082 People v. Rangel  
B150032 People v. Francisco T.  
B149639 People v. Mendez  
B148077 People v. Delitala  
B148509 People v. Trinh  
B150060 People v. Villegas

Argument waived, cause submitted.

DIVISION SEVEN (Continued)

B151439     People  
              v.  
              Robert Solis

Merits:  
Argued by Alex Ricciardulli, deputy public defender, for appellant and by Jessica Goulden, deputy attorney general. Cause submitted.

B152892     People  
              v.  
              Ryan T. Choules

Merits:  
Argued by Edwin Stegman for appellant and by G. Tracey Letteau, deputy attorney general, for respondent. Cause submitted.

B148745     People  
              v.  
              Mark A. Spears

Merits:  
Argued by William Capriola for appellant and by Jeffrey A. Hoskinson, deputy attorney general, for respondent. Cause submitted.

B151297     People  
              v.  
              Sina Chris Nang

Merits:  
Argued by William Capriola for appellant and by Marc Kohm, deputy attorney general, for respondent. Court requests appellant to submit letter brief with regards to sentence calculation and respondent is given leave to file opposition. Cause submitted.

DIVISION SEVEN (Continued)

B146856     People  
              v.  
              Angelica Pastrana

Merits:  
Argued by Michael Shannon for appellant and by David Madeo, deputy attorney general, for respondent. Cause submitted.

B147968     Los Angeles County, D.C.F.S.  
              v.  
              Tina Young  
              Gail and Vincent Otis  
              In re: Tiarria Y.

Argument waived, cause submitted.

B154070     Los Angeles County, D.C.F.S.  
              v.  
              Jose S.,  
              In re: Mikie S.

Argument waived, cause submitted.

B147245     People  
              v.  
              Victor L.

Argument waived, cause submitted.

B150866     Los Angeles County, D.C.F.S.  
              v.  
              Robert S.  
              In re: Angela S.

Argument waived, cause submitted.

DIVISION SEVEN (Continued)

B151563      Los Angeles County, D.C.F.S.  
                 v.  
                 Margarita M.  
                 In re: Jessica S., et al.

Argument waived, cause submitted.

B149472      Los Angeles County, D.C.F.S.  
                 v.  
                 Sateva S.  
                 In re: Destani S.

Argument waived, cause submitted.

B151388      Los Angeles County, D.C.F.S.  
                 v.  
                 Andrea W.  
                 Lieutenant T.  
                 In re: Amber W., et al.

Argument waived, cause submitted.

B137971      In re Ignacio De La Torre on Habeas Corpus

Merits:

Argued by Andres Z. Bustamante for petitioner and by Joseph Lee, deputy attorney general, for respondent. Cause submitted.

B136691      Carl M. Kinsey  
                 v.  
                 City of Los Angeles

Merits:

Argued by Carl M. Kinsey for appellant and by Teresa Lujan for respondent. Cause submitted.

DIVISION SEVEN (Continued)

B150392     Anita R. Padgett  
               v.  
               James Mitchell

Merits:  
Argued by Michael J. White for appellant and by Mary Catherine Bohen  
for respondent. Cause submitted.

B147587     People  
               v.  
               Gregory Finney

Merits:  
Argued by Joanna McKim for appellant and by Sharlene Honnaka, deputy  
attorney general, for respondent. Cause submitted.

B146031     Sina Ezzatian  
               v.  
               City National Bank

Merits:  
Argued by Louis Krass for appellants and by Ronald K. Meyer for  
respondent. Cause submitted.

B154321     Infant & Nutritional Products  
               v.  
               Superior Court, Los Angeles County  
               (Jeffrey Fyelling, R.P.I.)

Merits:  
Case called and continued to 2:00 p.m. calendar. Court will verify Mother's  
Nutritional Center and Harbor UCLA right to argue as real parties.

Court recessed at 12:13 P.M.

DIVISION SEVEN (Continued)

Court reconvened at 2:00 P.M.

Present: Lillie, P.J., Johnson, J., Woods, J., Perluss, J. and Eva McClintock, Deputy Clerk.

B154321      Infant & Nutritional Products  
                 v.  
                 Superior Court, Los Angeles County  
                 (Jeffrey Fyelling, Mother's Nutritional Center, Harbor UCLA -R.P.I.)

Merits:

Argued by Ira Reiner for petitioner and by Bruce M. Lorman, Jon Panzer, and Harold Bridges for real party in interest. Cause submitted.

B142902      David Oved et al.  
                 v.  
                 David Roberts et al.

Merits:

Argued by Robb Stromm for appellants and by Michael R. White for respondents. Cause submitted.

B141819      Guy Vasilovich et al.  
                 v.  
                 Patrick Blaney et al.

Merits:

Argued by Andrew Pauly for appellants. Respondents waived argument. Cause submitted.

B143732      Middy Shutt et al.  
                 v.  
                 John J. Dee  
                 Estate of Oscar O. Otis

Merits:

Argued by Joseph Hart for appellants and by Henry G. Bodkin for respondent. Cause submitted.

DIVISION SEVEN (Continued)

B146716     Robert Hirsh  
              v.  
              Truck Insurance Exchange

Merits:  
Argued by Andrew Stern for appellant and by Mark Bonino for respondent.  
Cause submitted.

B150228     Jose Antonio Lopez  
              v.  
              El Castillo Nite Club

Merits:  
Argued by Barry Lane for appellant and by Scott Brooks for respondent.  
Cause submitted.

B144946     Virginia Hyland  
              v.  
              Hughes Aircraft Company

Merits:  
Argued by Rafael Chodos for appellant and by Rick Richmond for  
respondent. Cause submitted.

B145037     Waymon Hobdy  
              v.  
              State of California et al.

Merits:  
Argued by Damon Hobdy for appellant and by Joel Davis, Deputy AG for  
respondents. Cause submitted.

DIVISION SEVEN (Continued)

B147392      Cyrus Sanai  
                 v.  
                 The U.D. Registry  
                 Harvey A. Saltz

Merits:

Case called and matter continued to March 7, 2002 at 10:00 a.m. calendar.

Court adjourned at 4:48 P.M.